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10 Attorneys for Benjamin Cottman

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,

14 Appellant,

15 *vs.*

16 BENJAMIN COTTMAN,

17 Appellee.

18 Case No. 2:18-CR-0129 JCM-DJA

19 **STIPULATION TO CONTINUE**
20 **SENTENCING HEARING DATE**
21 **AND ORDER**

22 COME NOW the parties, Benjamin Cottman, by and through his counsel,
23 Lisa Rasmussen, and the United States, by and through its counsel, AUSA Allison
24 Reese, and hereby stipulate that the sentencing hearing, presently scheduled for
25 August 7, 2020 be continued to a date not sooner than 45 days from the presently
26 scheduled sentencing date. The basis for this Stipulation is as follows:

27 1. Defense counsel has been trying to get documents from the Bureau of
28 Prisons (from Mr. Cottman's former incarcerations) that are relevant to his sentencing
process in this case. The Bureau of Prisons has refused to release the documents
absent a court order or a subpoena, despite the numerous authorizations that have
been provided by the undersigned and Mr. Cottman. Accordingly, defense counsel

needs to request the issuance of subpoenas pursuant to Rule 17 of the Federal Rules of Criminal Procedure.

2. Additionally, Mr. Cottman and his counsel prefer to have an in person sentencing hearing and are hopeful that this court can accomplish in person sentencing hearings in the next couple of months.

3. Mr. Cottman is in custody and agrees to this Stipulation.

4. Mr. Cottman faces a substantial amount of time in custody and this extension of time to prepare for his sentencing hearing does not prejudice him whereas to deny this request would be prejudicial.

5. The government is not opposed to this request.

6. This is the second request to continue the sentencing hearing.

7. This request is not made for the purpose of delay.

8. Counsel will file any objections or other sentencing memoranda as proscribed by the local rules in accordance with the newly generated sentencing da

DATED: August 3, 2020. Respectfully submitted,

**THE LAW OFFICES OF KRISTINA
WILDEVELD & ASSOCIATES,**

/s/ Lisa A. Rasmussen

**NICHOLAS TRUTANICH
UNITED STATES ATTORNEY, DISTRICT OF NEVADA**

/s/ Allison Reese
By: AUSA Allison Reese
Counsel for the United States

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No. 2:18-CR-0129 JCM-DJA

Appellant,

vs.

BENJAMIN COTTMAN,

ORDER

Appellee.

Based upon the stipulation of the parties and good cause appearing,

IT IS HEREBY ORDERED that the sentencing hearing presently scheduled for August 7, 2020 shall be vacated and reset to the 2nd day of October, 2020 at 10:30 a.m.

Dated: August 5, 2020.

The Honorable James C. Mahan
United States District Judge